



Samudra Kitarth Satya Nishita

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Starboard

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Beacon 1: Beam 3

**Mounting Citadel
of IRS and
Crumbling Edifice of
Maritime
Administration?**

Anti-piracy measures - whom are we doping?

**Government
apathy towards
Coastal Shipping,
a cause for
concern**

**Should Captain
do down with
the ship?**

**The Geographical shift of DG Shipping
– swanky but sleazy - Someone has to talk,
lest someone should ask.**

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Mounting Citadel of IRS and Crumbling Edifice of Maritime Administration?

- PH Krishnan

The purpose and objective of ship classification is to verify the structural strength and integrity of essential parts of ship's hull and her appendages, and the reliability and function of the propulsion and steering systems, power generation and those other features and auxiliary systems which have been built into the ship in order to maintain essential services on board. Classification Societies aim to achieve this objective through the development and application of their own Rules and by verifying compliance with international and/or national statutory regulations on behalf of Flag Administrations.

More than 50 organizations worldwide define their activities as providing some form of marine classification services; however, not all meet the definition of a Classification Society. It is estimated that the Members of IACS collectively class over 90 percent of all commercial tonnage involved in international trade worldwide.

Classification Societies are often simply referred to as 'Class Societies' or just 'Class'.

Why 'Classification'?

In the second half of the 18th century, marine insurers based at Lloyd's coffee house London, developed a system for the independent technical assessment of the ships presented to them for insurance cover. In 1760 a Committee was formed for this purpose, the earliest existing result of their initiative being Lloyd's Register Book for the years 1764-65-66. At that time, an attempt was made to 'classify' the condition of each ship on an annual basis. The condition of the hull was classified A, E, I, O or U, according to the excellence of its construction and its adjudged continuing soundness (or otherwise). Equipment was G, M, or B: simply, good, middling or bad. In time, G, M and B were replaced by 1, 2 or 3, which is the origin of the well-known expression 'A1', meaning 'first or the highest class'. The

concept of classification slowly spread to other countries and insurance markets. Bureau Veritas (BV) was founded in Antwerp in 1828, moving to Paris in 1832. 'Lloyd's Register of British and Foreign Shipping' was reconstituted as a self-standing 'Classification Society' in 1834; Rules for construction and survey were published the same year. RINA (previously Registro Italiano Navale) dates from 1861; American Bureau of Shipping (ABS) traces its origins back to 1862. Adoption of common Rules for ship construction by Norwegian insurance societies in the late 1850s led to the establishment of Det Norske Veritas (DNV) in 1864. Germanischer Lloyd (GL) was formed in 1867 and Nippon Kaiji Kyokai (ClassNK) in 1899. The Russian Maritime Register of Shipping (RS) was an early offshoot of the River Register of 1913. More recent foundations have been the Polish Register of Shipping (PRS) in 1936; Yugoslav Register of Shipping (now the Croatian Register of Shipping (CRS)), 1949; China Classification Society (CCS), 1956; Korean Register of Shipping (KR), 1960; and Indian Register of Shipping (IRS), 1975.



Following the Convention, RINA hosted the first conference of major Societies in 1939 -also attended by ABS, BV, DNV, GL, LR and NK - which agreed on further cooperation between the Societies.

Indian Register of Shipping, a Sec. 25 Company which has an illustrious history of serving the Indian Shipping Industry, has gratuitously forayed into areas unprecedented without any mandate from the Central Government. In the words of Mr. Arun Sharma, the CMD of IRS, "Making a departure from its traditional role as a regulatory body, IRS is focused on a new approach". Is not funny? Who appointed IRS as a Regulatory Body? Under which Statute? IRS cannot be a self-styled "Regulatory Body" for God's sake. "The traditional and primary role of Class will always remain - Safety of life and assets at sea, and protection and preservation of the marine environment. However, because of changing needs and demands of the industry, the role of Class also needs to change." In which world do you live Mr. Arun Sharma?

What is the changing need except the abject incapability of the Indian Maritime Administration to discharge its regulatory functions and the escalating degeneration and equally fast depleting manpower as the Government cannot pay the minimum CTC a surveyor of equal competency will get from the cash-strapped IRS. In turn the IRS in its octopus avatar with its

Mounting Citadel of IRS and Crumbling Edifice of Maritime Administration? - PH Krishnan

boisterous strength of 250 or more surveyors seeks to provide services pertaining not only to Class but also those beyond Class. In short, it has taken upon itself the irrational responsibility of being a surrogate for DG Shipping for its cash-rich clients, and those wannabe with a better corporate sales call than the sultry authorities of the Administration. Encouraged by this forfeited anachronism, DG will make all out efforts to ensure that some, if not all of the inspections and surveys and other regulatory functions are relegated to the IRS, for which money is many things if not everything. IRS for all its holier-than-thou outer shell and Sec. 25 fascia needs more money that comes through buy-three-get-one inspections and audits for up scaling their ritzy offices, foreign outfits and corporate solutions still doling away floor space to its mother organization. And they can afford it. Who the hell is that desolate ship manager to cringe when IRS offers SOPEP Audit or garbage manual even if no convention want these audited as a bonus or a string for the SMC Audit or asks for an NOC from the culpable and rather cantankerous previous manager, as a pre-condition even if the rules do not provide anything like that? So much for the predatory regime.

The cuckoldry doesn't stop here. Not stopping with inspection and audit of RPSL Companies, the DG Shipping has been PERILOUSLY toying with the idea of delegating or relegating the inspection and quality control of maritime training institutes, while DG himself has no legal mandate to administer or regulate maritime training. Assuming that the DG gets some mandate from the Central Government, under the Delegation of Powers Rules or the Allocation of Business Rules, after getting the MSA amended suitably, powers so delegated to DG cannot be further re-delegated unless the Allocation of Powers specifically state that the powers can be re-delegated. And such delegation precedes a tendering process among equally situate like DNV, Lloyds, BV and you name it. While IRS itself is a private training institute approved by the DG Shipping (InDOS ID 077), by any logic, IRS cannot inspect any other training institute. But DG and IRS in its unholy alliance defy logic and delegations.

Irrespective of whatsoever IRS has been doing in the name of dynamic expansion of their activities in their freaky scrounger avatar, the undue benevolent approach of the DG Shipping in its relegating more and more activities and responsibilities of the surveys, inspection and audits, whether statutes permit or not, is not lost sight of by the concerned entities, Starboard Strategies

the least of them. If Lloyds does, at its heart it is still a charity, Lloyd's Register Foundation. Even the Lloyds, the oldest Class Society requires a mandate from the UK government. IRS a profit-making company, Sec. 25 notwithstanding is still a no-no without being selected by a global tender. Certification of Maritime Education and Training (MET) verifies that the training providers' management systems are in compliance with mandatory requirements and IRS in its present form and tenor has no eminence to vet any MET Program under its umbrella, leave alone audit or inspect it.

DNV for example has what they call SeaSkill™ which provides Standards for Certification designed to facilitate fulfillment of STCW-requirements. Does IRS have any similar accomplishments to deserve the largesse from the DG Shipping. Even if it does, have they been selected by any 'process'? And have the DG Shipping obtained the sanction of the Ministry of Finance for foregoing its general revenues and dispensation of tendering system in favor of the Indian Register of Shipping. What is the fee-sharing arrangement? In the Indian context, only the Ministry of Finance has the authority to forego revenues and definitely it has not delegated this power to DG Shipping. If the answers to these questions do not come forthwith, we shall ask the concerned to answer as per the law. (Did somebody say Rule 11 and 18 of GFRs? They have no idea about D(emi) G(od) Shipping – They are immune from all this vagaries)



Certification of Maritime Education and Training (MET) is a specialized area that verifies that the training providers' management systems are in compliance with mandatory requirements. This is not a DG Shipping largesse that can be bequeathed to IRS with a smile on the lips and a glass each on the hands exchanging the favor. This needs a change in the Seventh Schedule of the Constitution.

Mounting Citadel of IRS and Crumbling Edifice of Maritime Administration? - *PH Krishnan*

Is the DG prepared for a Constitutional Amendment?

Putting the cart before the horse, IRS has already gone ahead with the conquest. "The Indian Administration has now authorized us to restructure the procedures for audits of Maritime Training Institutes," informed an official of IRS even before the DG decides on the issue. "As such IRS will depute their representatives to inspect the various maritime institutes to determine whether these institutes meet the required standards in teaching engineering and nautical candidates or conduct various DG approved courses." (Source : Marinelink.com and Maritime Reporter & Engineering News-) - <http://www.marinelink.com/news/leverage-dynamic-irs357010.aspx>

The compliant media gleefully reports that the entire format for conducting the audits of maritime institutes - the so-called Comprehensive Inspection Programme (CIP) – has been developed by IRS and presented to the Indian Administration. IRS was also retained by the Government to frame the Indian Coastal Rules and these have recently been completed and submitted to DGS recently.

It is ironic that the IRS, a private company for all its worth has been functioning without any mandate as the auxiliary arm of the DG Shipping which ensures that the coffers of the IRS are getting fatter at the cost of the shipping companies and other entities who are left with no option but to comply with the former's predatory fee structure which has nothing to do with the no-profit-no-loss vow of the Sec. 25 company. Even if there is no share capital, even if there is no dividend, what explanation one has for the upscale offices that are coming up in the most posh areas of various cities of India and abroad. What to speak of the mounting perks and frills enjoyed by its board of directors and surveyors (whose staggering numbers is in the order of 250 compared to 40 of DGS - while the DG does not have its minimum manning level for its various offices because of their poor pay scales and raids conducted by CBI if and when a surveyor seeks to augment his income by methods that are precipitous and unholy.

As per the last published Annual Report of the IRS, the company earned Rs. 70,39,53,055 by fees alone and the total turnover was Rs. 8138.23 lakhs. The company made a profit or - should we call it surplus - of about 45%, negating all its claim of no-profit-no-loss stratagem. The DGS can close their eyes to the travesty of financial propriety that avows that no public money will be spent or a public policy evolved without observing a proper, transparent tendering process to

bestow favors on any company even a PSU in violation of a proper selection process. Public largesse cannot be spent or policies evolved to benefit a group of individuals however public they are without a proper mandate and tendering system. Getting a swanky 9th floor on the Beta Building, which itself is questionable and is discussed elsewhere in this magazine, does not justify the DGS indulgence and profligacy towards the Company.

IRS cannot also claim the immunity of being an exclusive Indian entity as it has been appointed as the Recognized Organization (RO) of 22 flag registries, which include Panama, Liberia, Marshall Islands besides India, the latest being Marshall Islands. (All FOC Countries). All these 22 registries constitute 80 percent of the world fleet tonnage. IRS today has more than 1,700 vessels registered with it totaling about 11.0 million GT. As its CMD, Sharma said, "Our application for EU membership has already been forwarded – he did not state it was DG who forwarded it - through Bulgarian flag administration. EU has already initiated the process towards recognition of IRS." As per EMSA (European Maritime Safety Agency) only Member States can request EU recognition of a classification society and the enlargement of the EU may lead to additions to the EU recognized list. Member States can only authorize a classification society recognized by the European Union. With all this indulgence coming from the Flag, the IRS firmly believes that its future as the de facto DG Shipping is thoroughly ensured.

Does IRS have any quality standards or reign in MET that can be called the core competence or ancillary areas that can qualify them to get a mandate from the Central Government for auditing and providing quality controls for RPSL Companies or Indian Maritime Training programs or the Institutes. Even if it has, so does DNV and Lloyds and many others. CVC has developed DPE Guidelines for scrapping tender and price preferences to PSUs. Leave alone PSU. IRS is not even Government owned, full or part or fraction.

Profligacy and Arbitrariness go together. Delegation and relegation have different objectives and the latter cannot take the shape of the former. Earlier all the parties wake up to this French farce, better it is for the Indian Shipping... Hope better sense prevails upon all concerned before calamity strikes. ■

- **Editor (editor@starboardstrategies.net)**

This Editorial in its draft format was sent to DG (S) and CMD, IRS in advance

Continued from Last Issues...

MAKE A FAVORABLE FIRST IMPRESSION.

Before a ship-owner sends his ship to a port with active PSC regimens, he should ensure that the vessel looks good at first glance. It is well-known that PSC inspectors decide how intensive their inspections will be based upon their first impression of the ship. Many ships with derelict engine rooms and wasted forepeak tanks have escaped serious inspections by having well-painted decks and clean saloons for the inspectors to drink their coffee in.

DON'T OVERLOOK MINOR CERTIFICATES.

The shipowner should ensure that every certificate and document is valid. Many times the master will have overlooked deficiencies in minor documents like the De-ratting Certificate or Garbage Log, but these small deficiencies give the PSC inspector a reason—or at least an excuse—to make an extensive inspection.

MAKE MAIN AREAS PRESENTABLE.

The first PSC inspection is generally cursory, and includes the deck, accommodations, hold, engine room, and bridge. If all looks satisfactory in these areas, it is extremely unlikely that the inspector will want to go into tanks or other enclosed spaces. The master should therefore ensure that any potential deficiencies in these areas are corrected before the initial visit—which could come as soon as the vessel makes All Fast. Many times, a small deficiency that could have been cleared for a few hundred dollars leads to deficiencies that ultimately cannot be cleared at all.

ESTABLISH REMEDIATION PROCEDURES.

If the shipowner decides to enter a high-PSC-activity port with a ship having condition or equipment issues, he should have resources and procedures in place to clear the most likely deficiencies without delay. For every week that the ship sits under detention, the dangers of other shoreside claims, and even fraudulent seizure, increase dramatically.

TOW THE SHIP TO INTERNATIONAL WATER.

The owner of a ship under detention should investigate



Port State Control : A Black hole in the dark sea!

Padmakumar Krishnan

the possibility of using a tug to tow her to international waters. Certification requirements for a vessel under tow—particularly if unmanned—are greatly relaxed, and most PSC authorities will allow a detained vessel to be towed out. Sometimes, especially in the United States, the Coast Guard will issue a clearance under tow only to a shipyard where the deficiency will be remediated. The shipowner may then find that his best recourse is to obtain clearance to the nearest foreign shipyard. After the vessel reaches international waters, the shipowner may make his own decision as to his best interests in the matter. A master of a vessel with valid certificates may cancel a tow at any time, for any or no reason, and the vessel may not be stopped on the high seas for reasons of condition of hull or equipment except by her own flag state.

However, in most cases where the vessel is seaworthy but still can't clear her detentions—a wonderful irony not lost on shipowners—PSC will usually approve a tow to international waters, where the vessel will be free to proceed foreign under her own power.

SET LIMITS ON WHAT YOU WILL SPEND.

The shipowner should always be aware of the actual, real-market value of his detained vessel. Many owners spend far in excess of their vessels' real values in trying to remediate PSC detentions, sometimes without ever freeing the vessel. This problem is especially acute in countries where PSC inspectors act in de facto alliance with shoreside suppliers and repairmen: the inspector

will first detain the vessel for smaller items to get the owner to commit to the repairs, then he will impose new and increasingly expensive repairs on every re-inspection. This is done under the often-validated theory that the more the owners invest in vessel. Now the more reluctant he will be to abandon her later. To avoid this, the shipowner should decide immediately whether present and foreseeable detention items can be remediated within his budget. If they cannot, he should decide whether to attempt an alternate resolution such

from her local class surveyor. Unfortunately, in some countries, the PSC inspector and the class surveyor may both be receiving kickbacks from local repair interests, so it is even more important to fly in the vessel's certificate surveyor. Since the vessel's certificate surveyor and the local surveyor both work for the same entity, theoretically they must enforce the same standards. In other words, the class society cannot have two surveyors requiring different things of the same ship. Since the certificate surveyor will have to stand behind his survey (he cannot afford to admit that he certificated a sub-standard vessel), he will do his best to obtain the cooperation of the local class surveyor. Plus, of course, he is being paid for his time by the shipowner.

CONCLUSION

The key to avoiding Port State Control problems is knowing Port State Control standards (and, by corollary, class standards) and knowing the vessel's actual condition. Owners who are actively involved in their vessels' maintenance are seldom surprised by PSC detentions. And although there are unjustifiable detentions, especially in England and Northern Europe, the great majority of detentions worldwide relate to actual vessel deficiencies. A smart owner knows what countries his vessel can trade. Many owners of vessels in the Caribbean market advertise them as “non-US traders” to alert potential charterers that they will not allow their vessels to call US ports. Conversely, owners who are confident that their vessels can pass Coast Guard inspections advertise them as “US traders” and charge higher rates. There is no question that the Port State Control initiative has resulted in higher standards for vessels in international trade, with correspondingly higher costs for shippers and consumers. For the shipowner, however, Port State Control does not just mean a higher cost of doing business. It may well mean ruin. It is imperative, then, that he anticipate PSC inspections, prepare for them, and be ready to deal with their results. If he does not, he will soon be out of business, for a ship that can't leave harbor is no ship at all. ■



as towing or to abandon the vessel immediately.

OBTAIN ASSISTANCE FROM VESSELS SURVEYOR.

In questions of vessel hull or deck condition, the shipowner may be well-advised to fly the vessel's class surveyor—the one who personally issued her certificates—into the PSC port. He may be able to reassure the PSC inspector that the certificates were validly issued and that the vessel is actually seaworthy. Often, as a fellow-surveyor, he can negotiate on a personal basis with the PSC inspector for more reasonable requirements. Many times, the first thing the PSC will do upon detaining a vessel is to require a visit

With inputs from Jemima Khan and Suganty Hope



Francesco Schettino, Captain of the **Costa Concordia cruise ship** that ran aground, has been accused of cowardice

Courage is a virtue and heroism is admirable, but do we have a right to demand them? Who of us cannot look back on his or her own life and remember decisions, or compromises made, or silences kept because of cowardice, even when the penalties for courage were negligible? If we are cowardly in small things, shall we be brave in large? Have we the right to point the finger until we have been tested ourselves? When we read of the seemingly lamentable conduct of the captain of the Costa Concordia, Francesco Schettino, who left his passengers to their fate, do we say, "There but for the grace of God go I"?

By the time we returned, he had climbed up the fire escape (it was a Victorian building) and clambered over the railings on to a narrow ledge three storeys up, on which he was swaying drunkenly. The porter and I went up the fire escape: the man threatened to jump if we came nearer.

"The captain goes down with the ship" is the maritime concept and tradition that a sea captain holds ultimate responsibility for both his ship, her cargo, and her passengers and will die trying to save either of them. The concept may be expressed as "the captain always goes down with the ship" or simply the "captain goes down with his ship." Although often associated with the sinking of the RMS Titanic in 1912 and its captain, Edward Smith, it predates the Titanic by at least 11 years. In most instances the captain of the ship forgoes his own rapid departure of a ship in distress, and concentrates instead on saving other people. It often results in either the death or belated rescue of the captain as the last person on board.

The concept is closely related to another protocol from the nineteenth century, "women and children first." Both reflect the Victorian ideal of chivalry in which the upper classes were expected to emulate a morality tied to sacred honor, service, and respect for the disadvantaged. The actions of the captain and men during the sinking of HMS Birkenhead

**Should Captain
do down with
the ship?**

- Christopher D' Cruz

ad in 1852 prompted praise from many due to the sacrifice of the men who saved the women and children by evacuating them first. Rudyard Kipling's poem "Soldier an' Sailor Too" and Samuel Smiles' Self-Help both highlighted the valour of the men who stood at attention and played in the band as their ship was sinking.

"Death before dishonor" is a broader, modern sentiment that is common in military parlance.

In practice

The idiom literally means that a captain will be the last person to leave a ship alive prior to its sinking or utter destruction, and if unable to evacuate his crew and passengers, the captain will not evacuate himself. In maritime law the responsibility of the ship's master for his ship is paramount no matter what its condition, so abandoning a ship has legal consequences, including the nature of salvage rights. So even if a captain abandons his ship in distress, he is generally responsible for it in his absence and would be compelled to return to the ship when danger to the vessel has relented. If a naval captain evacuates a vessel in wartime, it may be considered a capital offense similar to desertion, mutiny, or sedition unless he subsequently destroys the

ship or permits it to sink. And even in peacetime, in many countries abandoning a ship in distress is considered a crime that can lead to imprisonment. Hence, Captain Francesco Schettino, who left his ship in the midst of the Costa Concordia disaster, was not only widely reviled for his action, but Italian authorities arrested him.

Examples

Bounty sank during Hurricane Sandy on October 29, 2012. Two people died, including Captain Walbridge, after the ship lost generator power and flooded.

- **September 12, 1857:** William Lewis Herndon was in command of the commercial mail steamer Central America when she encountered a hurricane. Two ships came to the rescue, but could only save a fraction of the passengers, so Captain Herndon chose to remain with the rest.

- **April 15, 1912:** Captain Edward Smith was in command of RMS Titanic when she struck an iceberg. Smith knew within minutes that the ship was doomed and did all in his power to prevent panic. Smith did not survive the sinking. As the ship went down, Smith was seen walking towards the bridge, only a few minutes before it and the rest of the ship's forward superstructure were engulfed by the sea. When the ship's lamp trimmer Samuel Hemming entered the bridge seconds after Smith was seen walking towards it, he found the bridge apparently empty. There are conflicting accounts of what happened to Smith: some including second radio operator Harold Bride, claimed to have seen him jumping in the water, or in water swimming towards a lifeboat/near the capsized collapsible lifeboat "B", while others claimed he committed suicide by shooting himself. Others including first class passenger Robert Williams Daniel said that Smith entered the wheelhouse on the bridge and died there when it was engulfed. This is considered the most likely scenario of Smith's death.

- **June 5, 1942:** Rear Admiral Tamon Yamaguchi, on board the stricken aircraft carrier Hiryu, insisting on staying with the ship during the Battle of Midway. The ship's master, Captain Kaku, followed his example.

- **February 7, 1943:** Commander Howard W. Gilmore, captain of the submarine USS Growler (SS-215) gave the order to "Clear the bridge" as his crew was being attacked by a Japanese gunboat. Two men had been shot dead; Gilmore and two others were wounded. After all others had entered the sub and Gilmore found that time was critically short, he spoke his last order to "Take her down." The Executive Officer, hearing his order, closed



the hatch and submerged the crippled boat, saving all of the crew from the attack of the Japanese convoy escort. Commander Gilmore was never seen again, but the submarine made repairs and returned to battle. Gilmore received the Medal of Honor posthumously for his "distinguished gallantry," being the first submariner to receive this award.

- **December 9, 1971:** Mahendra Nath Mulla, the captain of the Indian frigate INS Khukri, went down with her as she was sunk by a submarine in the Indo-Pakistani War of 1971. At least 194 members of the crew died due to the sinking, which reportedly took 2 minutes.



- **October 29, 2012:** Captain Robin Walbridge of the Bounty, a replica of HMS Bounty, stayed on the ship until she capsized during Hurricane Sandy. Fourteen crew members who made it to life boats survived the sinking of the sailing ship and were rescued by U.S. Coast Guard helicopters. Walbridge's last known words were to his crew: abandon ship.

Counter-examples

- **7 April 1990:** Captain Hugo Larsen of the Scandinavian Star.

- **3 or 4 August 1991:** Captain Yiannis Avranas of the cruise ship MTS Oceanos.

- **13 January 2012:** Captain Francesco Schettino of the Costa Concordia.

In the popular tradition of the sea, a ship's captain is expected to stay until all the passengers have been safely evacuated.

Fixed in the public imagination is Captain Edward Smith of the Titanic, who was last seen on or near the bridge of the ship as it went down.

In contrast, Captain Francesco Schettino is said to have left the Costa Concordia while many passengers were still struggling to reach safety.

A recording of a conversation between Captain Schettino and an Italian coastguard has been made public, in which the coastguard orders him back on to the ship to count the number of women and children remaining. The captain replies that he is co-ordinating the evacuation from a lifeboat.

Ultimate authority

Edward Phillips, principal lecturer in the department of law and criminology at the University of Greenwich, says a captain who fails in his duty in Italian waters could in theory be prosecuted under either international or national law.

The answer

- A captain may be charged with a breach of duty of care, depending on the law in the country where the accident happened
- An international convention of which Italy is a signatory says captains bear responsibility for the vessel's safety
- In international customary law, captains must follow principles of prudent seamanship - which means taking responsibility for the safety of crew and passengers
- There is a strong expectation among seamen that the captain will not leave until passengers have been safely evacuated

Customary international law requires captains to operate under the principles of prudent seamanship, which means caring for the safety of crew and passengers, he says.

A captain's legal responsibilities are also set out in the Safety of Life at Sea (SOLAS) convention, which has been adopted by 161 of 170 member states of the International Maritime Organization.

The first version of the treaty was passed in 1914, directly as a result of the sinking of the Titanic.

The current version, passed in 1974, does not specify that the captain should stay with his ship but states that the captain, or master, has the ultimate authority aboard his ship.

In addition, it says all passenger ships must have a system for emergency management, which would set out who is responsible for what during an emergency situation. This may or may not stipulate that the captain has to be the last to leave.

Moral code

Accounts of captains leaving their sinking ships are extremely rare but not unique.

In 1991, Yiannis Avranas, the captain of a Greek cruise liner, was also strongly criticised after leaving the ship as it started to sink off the South African coast. He said he supervised the rescue effort from a helicopter. All 561 people aboard the Oceanos were eventually rescued.

In 2000, the captain of a Greek ferry, the Express Samina, which sank killing more than 60 people, was accused of failing to help passengers flee the sinking vessel.



The Titanic's captain went down with his ship

A court will ultimately decide whether the captain of the Costa Concordia broke the law by leaving the ship when he did, but he certainly seems to have acted contrary to many people's ideas of how a captain should behave.

Dr Laura Rowe, a historian at the University of Exeter who specialises in naval history, says the expectation that a ship's captain would stay on board until everyone has been evacuated developed in the mid-19th Century.

"At that point, the captain is expected to have a very close affinity with the ship itself. Captains are fully expected to be the last one off, if not to go down with the ship. They are known as the 'father of the ship'," she says.

This relationship was necessary to help enforce discipline, she says.

"The sea is a treacherous place and the crew have to have faith in the captain - if discipline is undermined or breaks down, then the ship becomes a less safe place, and more people risk being injured."

Organizations of all kinds - including especially corporations and professional associations - need to work hard to help members think of the relevant ethical rules as something more than the terms of a contract, to help members become the sorts of people who simply would never abandon ship when they are needed most.

Finally what matter is human life, Captain's included. ■

India's coastal trade (shipping cargo between different local ports) is reserved for ships registered in India and foreign ships can be hired only when Indian ships are not available, according to Cabotage law. If the coast is open for anybody to operate, Indian shipping companies are not equipped to handle international competition and therefore, need to be made competitive.

BIGGEST CONCERNS

Primarily, there are two concerns. One is the lack of a Government policy to nurture the Indian shipping. We need an over arching policy to recognise the importance of shipping and developing the industry. Shipping has two parameters – coastal and international. Last coastal shipping policy draft was made two years ago and it is still lying in the Ministry. Second concern is the lack of funding. Indian shipping companies always maintained that they are an international business entity and their abilities are as good as those in the international market. But in the external markets, their cost of money and cost of operations are cheaper. This makes it difficult for Indian entrepreneurs to compete with international ship owners. In the past 10-15 years, not more than Rs. 250

crore was allocated for shipping. In China, Vietnam and Korea their shipping assets have grown largely because of the Government support. Even in US, Jone's Act has greatly protected coastal shipping.

GOVT STEP

A major step that the Government took in this direction was to introduce tonnage tax. As a result, in 2004-05 we saw tonnage growth. After that, the Government has not taken any

measures to encourage the Indian shipping industry. But, now the Ministry is actively working on cargo support policy. We are also in talks with PSUs for getting long-term contracts and this could help Indian ship owners acquire assets. PSUs have responded encouragingly and we hope this will set in some momentum for our sector.

This media strongly opposes the Government move on Cabotage relaxation. If the Government wants to relax cabotage, Indian ships need to be made competitive internationally. The cost of operating an Indian ship is 30 per cent more than that of a ship under a foreign flag. If you release the Indian coast for anybody to operate, then take suitable measures to make us on par with international ships. Indian shipping companies are not equipped to handle international competition due to the high cost of operations.

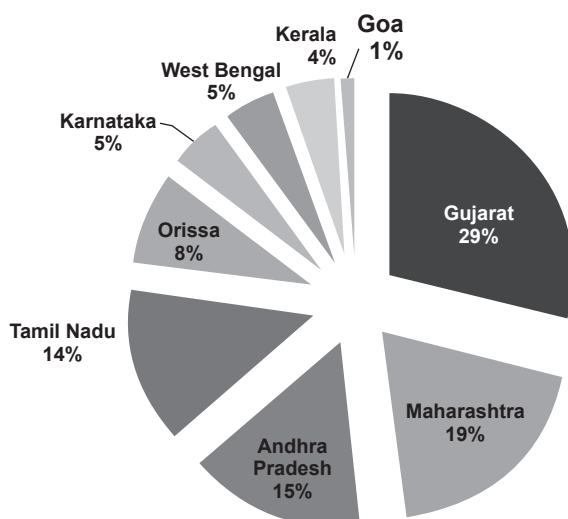
To make Indian ship owners internationally competitive the most important step needs to be taken is to reduce the tax burden. The Government should remove tax on seafarers' wages, on stores, spares and bunker. Counter Vailing Duty (CVD) on Indian ships is based on the value of the ship, where as it is based on the time charter value for foreign ships, which is not fair.

COASTAL TRADE

Coastal trade is stuck with 12-13 per cent share and has not grown over the years due to the lack of policy support. Rules in existence for coastal shipping will not

**Government
apathy towards
Coastal Shipping,
a cause for
concern
- Swati Pednekar**

State wise coastal cargo break-up (2009-10)



allow it to compete with other modes of transportation. International legislation permits local administrations to frame rules to ensure the growth of coastal shipping. For instance, China has different set of rules for international and coastal shipping. We came out with River Sea Vessels (RSV) regulation. We do not know whether the RSVs were successful in capturing the ethos of bringing down the cost of operations. But we do know from small ship owners that this purpose is yet to achieve.

There are no policies to back the industry. More than 60% of country's container trade is carried out through the JNPT terminal which causes congestion and frequent break down in port operations. Due to government apathy not many private new players are attracted to this industry thereby making the Indian exports more expensive as the entire strain mostly on fewer existing ports. There are several cancellations of orders due to delays and high expenses.

Moreover the local taxes on Indian shipping companies makes the exports more expensive as compared to foreign companies. Under the provisions of Service Tax Rules, if a foreign shipping company is moving an Indian cargo between Indian cities, they don't pay the service tax because their place of residence is outside India. But if an Indian shipping company was ferrying this cargo, then it will have to pay the 12.5 per cent service tax-this adds to its cost and makes it uncompetitive.

Moreover the Indian government also imposes duties on coastal vessels making them less attractive and cost efficient as compared to road transport of India which receives some subsidies in fuel expenses as diesel is subsidised in our country.

There is also an imposition of excise duty at 2% if no CENVAT credit is taken of taxes and duties paid on inputs and input services; it is 6% in other cases.

From this budget 2013-14, there is an expectation that the shipping industry be given an "Infrastructure Industry" status. The industry is expecting an excise duty exemption be given to ships and other vessels. The other recommendations by FICCI for the shipping

industry as are below:

Exemption for import of equipment for port projects: Considering importance of modern equipment based on latest technology for efficient port operations, customs duty for import of port equipment should be waived off.

Customs duty on foreign going vessels. Foreign going vessels are exempted from customs duty vide entry no 462 of the Table to the Notification 12/2012- Customs dated 17 March 2012 subject to fulfilment of condition 82 of the said Notification. Earlier to this exemption foreign going vessels were exempted from Additional Duty of Customs levied under sub-section (1) of section 3 of the Customs Tariff Act, 1975 (CVD) provided the vessels had a global trading general licence under section 406 of the Merchant Shipping Act, 1958.

With effect from 17 March 2012, CVD is payable on conversion of foreign going vessels to coastal vessels as follows:

- full lease or contract value, if the import is under a lease agreement or contract
- 1/120th of the applicable duty, for each month or part thereof, of stay in India as coastal vessel

Most international jurisdictions (e.g., European Union, and Canada) do not apply CVD (or equivalent duties) on vessels used in international transportation business. Even where the tax applies to vessels used in domestic freight, the tax is fully credited (with a refund for any excess credits) within a few days of the payment, with no net impact except for a temporary negative cash flow. The amendment would result in customs duty payment every time the vessel is imported into India and converted to coastal run. There would be a significant compliance burden in having to pay tax on every conversion, determination of the value for tax, determination of the time period of coastal use, and making adjustments if the anticipated coastal use differs from the actual. There would be no revenue gain to the Government as theoretically the tax paid on conversion is fully creditable against the output tax on coastal freight.

It is accordingly requested that customs duty should be exempted on vessels used in international commercial transportation business.

Withdrawal of excise duty on ships and other vessels

With effect from 1 March 2011, excise duty has been introduced on various types of ships covered under chapters 8901, 8904, 8905 and 8906 9000 at 2% (increased from 1% to 2% with effect from 17 March 2012) if no CENVAT credit is taken of taxes and duties paid on inputs and input services and 6% in other cases (increased from 5% to 6% with effect from 17 March 2012). The new levy has created an additional burden to Indian ship yards and adversely affected their competitiveness.

In order to encourage the ship building industry, it is requested that excise duty exemption be granted to ships and other vessels falling under chapters 8901, 8904, 8905 and 8906 9000 as was available prior to 1 March 2011.

Creation of a 'shipping modernization fund' for growth of Indian flag shipping.

Shipping, being capital intensive, requires huge funds for financing ship acquisitions depending upon the market conditions. Funds are mobilized largely through external commercial borrowings and internal generations. In the current depressed shipping scenario, it is uncertain as to how the shipping companies will be able to source the equity and debt requirement for acquisition of ships. As the shipping industry is in substantial need of funds for acquiring tonnage, it is essential that the Govt. of India set up a fund to support the national fleet, thereby enabling access to funds.

Income from transfer of qualifying asset and income from deployment of reserves be treated as income from 'core activity'.

Any profits or gains arising from transfer of a qualifying asset are chargeable to income-tax as capital gains. Such profits, being not considered as 'core shipping income' are also subjected to MAT. This results the same income. Book profit on sale of qualifying assets should be treated as 'core shipping income' and should be excluded from book profits while computing MAT liability.

In order to utilize the reserve account for the purpose of acquisition of ships, Indian tonnage tax companies need to maintain adequate cash. Income generated through

deployment of such cash in short term investments till the time statutory reserves are utilized for acquisition of ships is not being considered as income from 'core activity'. The reserves are created as per the requirement under the Act and is out of core and incidental activities of the tonnage tax company and it is therefore, recommended that aforesaid income should be treated as income from core activity of a tonnage tax company and should be subjected to tax accordingly.

Other Direct tax Suggestions

- Port projects should be completely exempt from MAT and from payment of Dividend Distribution Tax.
- In respect of revenue share or royalty or wharfage or any other revenue payable to the Port Authority, 150% deduction shall be permitted.

Granting of Infrastructure Status to Shipping Industry

The Indian shipping industry fulfils the characteristics of infrastructure as mentioned in the harmonized Master List of infrastructure sub-sectors. Granting infrastructure status would mean reduced cost of borrowings to buy technologically advanced and environment friendly ships leading to increased trade volumes resulting in higher employment and higher foreign exchange earnings/ savings. As one of the steps to rationalize, strengthen and provide environment conducive to the growth of Indian shipping sector, it is requested that 'infrastructure' status be granted to 'ships and other vessels' as defined under the Merchant Shipping Act, 1958.

CURRENT SCENARIO

We are as good or as bad as everybody else. In a way, Indian companies were little more conservative and we have not acquired too many assets. As domestic companies acquired only assets in the offshore business, one has not seen great depreciation in asset values. SCI, Great Eastern and Mercator have made investments in offshore vessels and are able to sustain the business. We hope that by next year supply will fall and some kind of semblance will set in. ■

The Geographical shift of DG Shipping – swanky but sleazy - Someone has to talk, lest someone should ask. - P.H. Krishnan

The Jahaz Bhavan, the power bastion of Indian Maritime Administration has finally shifted to a swanky building (i-Think Techno Campus, Kanjurmarg (East) for all its worth. At whose instance at whose cost? The insider news is that Mr. Deepak Shetty, Joint DG made it happen or brought it through.. There are issues connected with the shift. At the outset, the officers at the level of Dy. DG are put to sit in the open and rendered too vulnerable notwithstanding the outer stronghold of the security in the reception area lined with yawning candidates incessantly waiting for their orals and shipping company liaison officers who find it difficult to have a “private word” with the surveyor. There are questions – many of them vital, some proprietary and some about the utter violation of norms, rules and financial propriety.

The CPWD as well as Ministry of Works and Housing have evolved certain norms for providing accommodation to the Government officers and staff. They have evolved certain standards the summary of which appears something like the following.

Sr. No.	Existing Category	Proposed Category	Entitlement of office space (in sq. Ft.)
1.	Officers drawing Rs. 5000/- & above per month	Officers drawings Rs. 15,200/- & above per month	240
2.	Officers drawing Rs. 3000/- & above but less than 5,000/- per month	Officers drawings Rs. 10,000/- & above but less Rs. 15,200/- per month	120
3.	Gazetted officers drawing Rs. 3,000/- per month excluding section officers	Gazetted officers' drawings pay less than Rs. 10,000/- per month excluding section officers	80
4.	Section officers in the sectt. / Attached offices	Section officers in the sect. / Attached Offices	80
5.	Technical staff such as Draughtsman, tracer & Estimators etc.	Technical staff such as Draughtsman tracers & Estimators etc	60
6.	Ministerial staff such as superintends, Head clerks, dafties, etc.	Ministerial staff such as Superintends Head clerks Assistants, Clerks, Dafties etc.	40
7.	Ministerial staff of Audit Officers	Ministerial staff of Audit officers	40

Now the Joint DG, a senior IRS Officer, may have no knowledge of the CPWD and Works and Housing Ministry norms, because these norms do not apply to Income Tax and Customs Departments, for reasons untold and not gone into. But the ignorance of bliss cannot be the rationale for causing untold inconvenience to so many surveyors and staff of the Jahaj Directorate which is accustomed to the set pattern of the Jahaz Bhavan atmosphere where the high and mighty aka Industry honchos used to wait at the lift area like the non-believers on the day of reckoning at the gate of hell or heaven according to their karma. Moreover, the CPWD norms cannot be changed even if it is a hired office or temporary office loaned by Indian Register of Shipping whose raison d'être is the DG himself and who are amassing real estates in 23 countries across the globe with the money they gleaned from various

shipping entities with monopoly rights inopportunistically acquired through survey rights (if you call it blood money it is your mistake – mind you, IRS is a Sec. 25 Company surviving the winds of change with the policy of “No-Profit-No-Loss”. IRS is a corporate entity for all its façade of a PSU and they are not governed by the CPWD Norms. So until the new proposed Jahaz Bhavan high rise comes into being by the end of this decade, the shipping companies and their liaison officers cannot have that “word” with the surveyor in private at least in the Directorate's premises till then. What is the present rent? Was it tendered out? Who quoted, how much? Why IRS was preferred? One has to answer all the questions. No escape.

Because there is something known as financial propriety. The government money that will flow out to the cash-strapped IRS is not my or your ancestral property. The money outflow has to be regulated according to a system that is outlined in the General Financial Rules, 2005, excerpts of which under Rule 21 *ibid* are reproduced hereunder. Mind you again, only emphasis mine. The rest quote and unquote.

Rule 21. Standards of financial propriety :Every officer incurring or authorizing expenditure from public moneys should be guided by high standards of financial propriety. Every officer should also enforce financial order and strict economy and see that all relevant financial rules and regulations are observed, by his own office and by subordinate disbursing officers.

Now, if the DG or Joint DG wants to send the General Financial Rules for a toss into the Arabian Sea or for that matter into Caribbean Sea, as they do with the MS Act and Allocation of Business Rules, and even the IMO Conventions while they delegate and relegate various inspections, surveys and audits to IRS, Board of Examiners, MMERT and sundry others under the sham of shortage of surveyors and faulty recruitment rules which sometimes earlier prescribed chief engineers with two years of deck experience, the Starboard has the right to ask questions as we are not stifled by maritime etiquette aka slavery in this country. Did the DG follow the principles enunciated in Rules 163-177 of the General Financial Rules, 2005 before hiring the IRS owned 9th floor premises at the Beta Building?

If not, had he taken the permission from the Ministry of Finance for the deviation as envisaged in Rule 6 *ibid* which *inter alia* reads as 'the systems and procedures established by these rules may be modified by any other authority only with the express approval of the Ministry of Finance?

Someone has to talk, lest someone should ask. And we do, with all humility this time!. ■



On May 11, 2011, the Mumbai-based Director General (DG) Shipping, under fire for being unable to react effectively to the scourge of piracy affecting Indian men and waters, finally reacted as the agency issued an 'Order' (available on the website: www.dgshipping.com). For an organisation, long seen as being on sedatives even by its own community of seafarers, this was a sizeable step. However, on closer analysis with various stakeholders, the verdict seems to echo the timeless phrase, 'too little, too late'.

Contents

The order starts with an admission and states, "it is not unlikely that in the future incidents of successful hijack of ships, Indian seafarers may be held captive.." The order further is divided into sections like pre-joining vessel, piracy incident, financial support, professional counselling for family members, period close to conclusion of negotiations (wonder how is the affected family to even identify the same! Most family members say that as per DGS, the owners/agents are always very close to concluding the negotiations) and post-release.

Reactions from within

It has generated a lot of heat on the web. Some comments from web-based Merchant Navy Group are listed below:

- a. This order may satisfy the inner need to put cold water but one expected a lot more. That apart, there is no clarity on critical points! Full details of anti-piracy facilities available onboard a ship should be provided to DGS as well as seafarers, not just BMP3 and the rest of the stuff. What is the position the DGS is taking on citadels, bullet-proof bridge, communications?
- b. Utter rubbish! DGS has to lay down the law on the owners and shipmanagers, instead of leaving it to them. What day and age are our DGS authorities living in?
- c. Too important a point left vague by the DGS. It must be ensured that financial support equal to an outright grant equal to the salary earned on board should be paid out to the family every month in advance, without placing a lien or any sort of on the wages/entitlements/benefits that would accrue normally to the person.

When contacted, Veeresh Malik, writer and seafarer reacted by stating, "This new order is nothing but an attempt to soft-pedal this aspect of the deeper malaise that affects the corrupt core of all that pertains to shipping in India today." Comparing piracy to the Air India Mangalore crash of 2010, he added that efforts must be made to clean the stables of all that is wrong with shipping in India. "And for that very reason, those who would like to see the status quo maintained will not want to see any change," he said referring to the DGS order. A merchant navy captain, who works for a shipping company in Mumbai, requesting anonymity, stated the present order was, "only suiting the ease of the agency concerned. It won't resolve anything. It is just too weak to even be taken seriously."

As far as the shipping community is concerned, they seem to have seen through this act of the DGS.

Suffer but silently

Another aspect worth highlighting is Point no. 6 of the DGS order. Referring to the 'period close to conclusion of negotiations and immediately thereafter', this aspect deals with an extremely critical period of the crisis. And it is not in anybody's interest to even inadvertently have the game spoilt after this stage has been reached.

That is theoretically. Practically speaking, families say that all that the authorities ever tell them is that they are 'close to getting all the negotiations completed' and that 'all efforts are being made'. In this regard, DGS wants family members to exercise 'complete restraint' especially with an 'intrusive' media around. This is making minds think whether it is a move by the DGS to effectively seek a blanket media embargo? Manoj Joy, national coordinator, Sailors Helpline, a Chennai-based organisation which has been striving towards providing relief to those in distress at sea, believes so. "Our experience shows that until the time media picks up matters, the authorities are hardly bothered," he said.

"Sometimes, even after the media steps in, the authorities hold on to inertia," added Joy. Towards this he highlights the case of former Petty Officer for Marine Engineering in the Indian Navy (IN), Sanjay Kumar Srivastava, who

Anti-piracy measures - whom are we doping?

- *Pervez Rustom*

after 20 years of service to the nation, joined as the 3rd Engineer on board MV Nardos - a Panam flagged ship. He suddenly went missing on August 27, 2009. "His wife wrote to all authorities seeking help, she even emailed DG Shipping officials. They either did not respond or when they did, they kept passing the buck to the other desk," Joy mentioned. Till date, his wife is unaware of what happened to her husband.

Similar was the fate of 10 Indian seafarers (and 3 Ukrainians), on board a marine tug, Jupiter 6 which went missing in September 2005. The company concerned did not bother informing the families for almost a month. The DGS, as the regulator too was not of much help. Left devoid of options, families were forced to knock the doors of the Supreme Court, which has assisted families in getting compensation, even though till date there has been no trace of the sailors. History repeated itself, when in September 2007, MV Rezzak, also belonging to the company which owned Jupiter, went missing, this time with 25 Indians on board. They too have simply vanished without a trace. Clearly, the DGS's record has not inspired enough confidence, even within its own community.

The other side

Since October 2008, the Indian Navy has maintained atleast one frigate/destroyer to safely escort convoys of commercial ships in the Gulf of Aden's Internationally Recommended Transit Corridor (IRTC). That apart, the force has also stationed a patrol ship off the Seychelles alongwith a maritime patrol aircraft, a Dornier, on the mainland. Lastly, in tow with the Indian Coast Guard (ICG), it has also commenced Operation Island Watch for the past few months which essentially involves maintaining a hawk-eye over the region off the Lakshadweep islands and other affected areas.



Despite having invested considerable resources in this sector, there were sightings and subsequent apprehensions of over 100 pirates in the early months of this year. As recently as last week, a merchant vessel (MV Full City) was under attack 400nm off Karwar coast. No doubt, our prompt reaction to that and a well-trained crew managed to save the day, but it also points out that still there is some distance to go before we can make our seas safer. If defence expert, R. Admiral (Retd) Raja Menon is to be believed orders like the one being discussed, won't make any improvements. In an email response, he stated, "This is a useless piece of paper which has obviously been copied from that issued by another country. It talks of Best Practices but what are these Best Practices? It was the responsibility of the navy and the government (agencies concerned) to have issued a list of best practices and merely issuing this paper speaks of a continuing apathy to doing anything specific or substantial to help the seafarers. This note virtually says that the shipowners are on their own against pirates and the government has washed its hands of the matter after issuing this piece of paper." Even among serving officers, who are involved in a day-to-day tackling of piracy, this order has failed to evoke any enthusiasm. From being called 'loose' to 'inconsequential', officers felt that the DGS could have done much more but it has decided to look the other way.

Questions

Question then arises whether this is an order conceptualised and issued in isolation? Has there been a dilution for reasons best known to DGS? Or the DGS is simply not getting the coordination and assistance from the maritime forces who are supposed to work with the DGS in such aspects? Already, the IMO is considering (if not already implemented) the extension of the piracy-affected 'war zone' closer to India's west coast, a move which will put cold water over the regional power role that India wishes to be seen as embodying. Another indication of the issue hotting up is that the premium for merchant vessels too has shot up several folds.

In this environment, it certainly seems that the DGS's present response is far below what the stakeholders wish and think, they deserve. But the harsh reality is that time is running out and no matter what the differences, all stakeholders need to get their act together and quickly. ■

Safety Questions & Answers - Ashwini Kumar Barnwal

1. As per MARPOL Annex -1 definition,? Special area? means:

- A. Some specific areas where coastal state legislation doesn't allow any bilge water/slop discharges
- B. Areas as defined by Annex-1 where no bilge water/slop discharges are allowed
- C. Areas as defined by Annex-1, where special mandatory methods are adopted for the prevention of sea pollution by oil
- D. Areas as defined by Coastal state regulations(e.g. OPA-90), where special mandatory methods are adopted for the prevention of sea pollution by oil

2. In which of the following documents on board, authentic information about the circumstances and procedures to obtain Radio Medical Advice can be found?

- A. Safety Management Manual
- B. The Ship Captain's Medical Guide
- C. First Aid Booklet.
- D. Code of safe working practices

3. Which of the following documents carried by a ship is not issued under the SOLAS convention?

- A. Fire control plan/booklet
- B. Maneuvering booklet.
- C. Minimum safe manning document
- D. Records of hours of rest

4. When using the rainwater collection tubes on a liferaft, the FIRST collection should be

- A. passed around so all can drink
- B. poured overboard because of salt washed off the canopy
- C. saved to be used at a later time
- D. used to boil food

5. Which of the following is not an exception provided under MARPOL, Annex-1, regarding the discharge of oil or oily mixture into the sea?

- A. Discharge for the purpose of securing safety of a ship
- B. Discharge for the purpose of saving life at sea
- C. Discharge resulting due to damage to the ship because of Master's fault even if the

Master/Owner of the ship has taken all reasonable precautions to prevent/minimize discharge

- D. Discharge resulting due to damage to the ship not because of Master's fault, but because of a third party's fault and action awaited by Master from that third party to prevent/minimize discharge

6. Under OPA 90, who is responsible for mobilizing Oil Spill Removal Organization (OSRO), in the event of spill of oil or Noxious liquid Substances?

- A. Master
- B. USCG
- C. Qualified Individual.
- D. Technical Superintendent

7. As per definition of MARPOL Annex-1, a Crude oil tanker means a tanker designed to carry:

- A. Crude oil and other dirty oils
- B. Crude oil alongwith some refined products
- C. Crude oil only
- D. Crude oil, but alternatively may carry at times dirty and clean oil products also

8. Which of the following organs of IMO consists of all member states?

- A. Council
- B. Assembly
- C. Facilitation Committee
- D. None of the above

9. The maximum allowable weight of a portable fire extinguisher is _____

- A. 13.5 Kgs
- B. 23 Kgs
- C. 9 Kgs
- D. 46 Kgs

10. Under which maritime instrument is a Certificate of Financial Responsibility (COFR) issued?

- A. CLC 1992
- B. Fund convention
- C. LLMC
- D. OPA 1990

Answers: 1(C), 2(B), 3(B), 4(B), 5(D), 6(C), 7(C), 8(B), 9(B), 10(D)

11. If you observe any situation which presents a safety or pollution hazard during fuel transfer operations on a MODU, which of the listed actions should be taken first?

- A. Wait for the person-in-charge to act.
- B. Notify the ballast control operator.
- C. Shutdown the transfer operations
- D. Sound the fire alarm.

12. As per the definition of MARPOL, Annex-1, a combination carrier means a ship designed to carry:

- A. Crude oil and refined oil products at the same time in different tanks
- B. Refined oil products and chemical products at the same time in different tanks
- C. A combination of different products at the same time, sometimes also known as a parcel tanker
- D. Either oil or solid cargoes in bulk

13. As per Marpol requirements, Every crude oil tanker of _____ tones deadweight and above delivered after 1st June 1982, shall be fitted with a cargo tank cleaning system using?

- A. 5000, Sea Water Washing
- B. 10000, Fresh Water Washing
- C. 20000, Crude Oil Washing
- D. 30000, Bilge Water Washing

14. As per requirements of Marpol Annex -1, all ships of 400 gross tonnage and above:

- A. Can carry fuel oil in fore peak, aft peak tanks and deep tanks
- B. Cannot carry fuel oil in fore peak tank
- C. Can carry fuel oil forward of collision bulkhead or aft of machinery space forward bulkhead, but not in the cargo area in case of tankers
- D. Cannot carry more than 600 m3 of oil fuel in any single fuel tank



15. Which of the following is a man overboard maneuver?

- A. Neil Robertson turn
- B. Williamson turn.
- C. Hard port
- D. Hard starboard.

16. The parent instrument of IMO is:

- A. UNCLOS I, 1958
- B. UNCLOS II, 1960
- C. UNCLOS III, 1974
- D. The IMO convention

17. After a person has been revived by artificial respiration, they should be

- A. walked around until he is back to normal
- B. given several shots of whiskey
- C. kept lying down and warm
- D. allowed to do as he wishes

18. The angular movement of a vessel about a horizontal line drawn from its bow to its stern is

- A. pitching
- B. rolling
- C. heaving
- D. swaying

19. To prevent oil from escaping into the sea when ballasting through the cargo piping system, you should FIRST

- A. open sea suction valves, then start the cargo pump
- B. start the cargo pump slowly, then open sea suction valves
- C. open block valves, then start the cargo pump
- D. open sluice valves, then start the cargo pump

20. Prior to entering a cargo pump room, you should ensure that

- A. the exhaust ventilating system (pump room fan) is operating
- B. the cargo pumps are secured
- C. no mono carbon gases are present
- D. the oily water separator is de-energized

Answers: 11(C), 12(D), 13(C), 14(B), 15(B), 16(D), 17(C), 18(B), 19(B), 20(A)

21. Which of the following documents carried by a ship is not issued under the MARPOL convention?

- A. IOPP certificate
- B. Oil Record Book
- C. SOPEP
- D. Safety Management Certificate.

22. When a vessel is floating upright, the distance from the keel to the metacenter is called the

- A. metacentric differential
- B. height of the baseline
- C. metacenteric height.
- D. righting arm

23. Voyage data recorders (VDR) or simplified voyage data recorders (S-VDR) are required to be installed on board certain ships as per

- A. ISPS code
- B. ISM code
- C. Chapter V of Solas
- D. None of the above

24. Which of the following is not found inside a lifeboat?

- A. Sea anchor
- B. Fishing tackle
- C. Drinking water cans
- D. Life Jacket

25. As per STCW code, the abilities specified under standards of competence are grouped under _____ functions, for the purpose of issuing certificates of competency.

- A. Seven
- B. Four
- C. Six
- D. Three

26. Under which IMO convention is Voyage Data Recorder- Certificate of compliance issued?

- A. COLREG 1972
- B. SAR 1979
- C. SOLAS 1974
- D. SALVAGE 1989

27. As required by Reg.31 of Annex 1 of Marpol the ODMCS should be provided with a recording device for _____ recording the discharge in litres per nautical mile and total quantity discharged. This discharge should be kept onboard at least for a period of:

- A. Intermittent, 1 year
- B. Continuous, 1 year
- C. Intermittent, 3 years
- D. Continuous, 3 years

28. Changing rescuers while carrying out artificial respiration should be done

- A. without losing the rhythm of respiration
- B. only with the help of two other people
- C. by not stopping the respiration for more than 5 minutes
- D. at ten minute intervals

29. As per definition of MARPOL Annex-1, a product tanker is one which can carry:

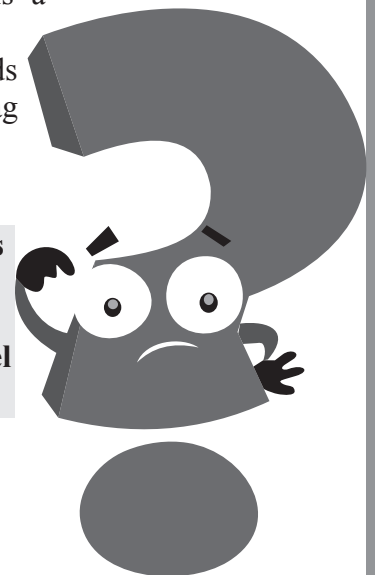
- A. Oils and chemicals
- B. Oils other than crude oils
- C. Oil product and occasionally crude oils
- D. Mainly chemical products but at times refined oil products

30. Which of the following statements is false?

- A. A ship security plan is made by the CSO
- B. A ship security plan is a confidential document.
- C. A ship security plan needs to be approved by the flag state administration
- D. None of the above

31. In the first 24 hours after abandoning a vessel, water should be given only to personnel who are

- A. thirsty
- B. sick or injured
- C. wet
- D. awake



Answers: 21(D), 22(C), 23(C), 24(D), 25(A), 26(C), 27(D), 28(A), 29(B), 30(A), 31(B)

32. Which of the following conditions can lead to degradation of foam compounds ?

- A. Exposure to excessive heat.
- B. Mixing of different grades of foam.
- C. Exposure to air.
- D. None of the above.

33. In which of the following conditions, the IG blower fans should shut down automatically?

- A. Oxygen content above 8%
- B. Low water level in deck seal
- C. Low water level in the scrubber tower
- D. High scrubber water level

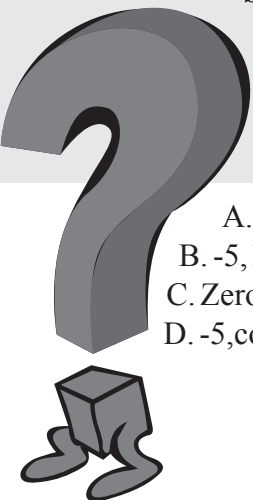
34. As regulation 12 of Annex 1 of MARPOL, all ships of _____ gross tonnage and above shall be provided with a sludge tank for collection of oil residues

- A. 150 tonnes deadweight
- B. 150 gross tonnage
- C. 400 tonnes deadweight
- D. 400 gross tonnage

35. Life buoy self-activating smoke signals should emit smoke of visible colour for at least _____ in calm waters.

- A. 5 minutes
- B. 15 minutes
- C. 30 minutes
- D. 60 minutes

36. Emergency generators should be capable of being started at ambient temperature of _____ deg Centigrade. If lower temperatures are expected then ____ should be provided.



- A. zero, cold starting spray
- B. -5, heating arrangements
- C. Zero, heating arrangements
- D. -5, cold starting spray

37. Divisions constructed of steel which can withstand a standard fire test for 30min without passage of flame or smoke are classified as _____

- A. B class divisions
- B. A class divisions
- C. A30 class divisions
- D. B 30 class divisions

38. When applying chest compressions on an adult victim during CPR, the sternum should be depressed about

- A. 1/2 inch or less
- B. 1/2 to 1 inch
- C. 1 to 1 1/2 inches
- D. 1 1/2 to 2 inches

39. As per requirements of Marpol, Annex 1, all ships delivered on or after 1st Aug. 2010 with an aggregate oil fuel capacity 600 m3 and above, the oil fuel can be carried in:

- A. Any of the tanks without any restriction
- B. Deep tanks and Double bottom tanks
- C. Deep tanks in protective locations
- D. Double bottom tanks not extending upto the ship's side

40. Which of the following statements is true?

- A. The installation of an IMO approved incinerator is mandatory on all ships. (for mcq)
- B. The installation of an incinerator is mandatory on all ships above 400 GRT.
- C. The installation of an incinerator is not a mandatory requirement.
- D. The installation of incinerators is mandatory only for dry ships

41. The purpose of inert gas systems aboard tank vessels is to _____.

- A. allow sufficient oxygen in the tank to sustain life
- B. prevent outside air from entering the tank
- C. provide increase in cargo discharge pressure
- D. comply with double hull pollution prevention regulations

Answers: 32(A), 33(D), 34(D), 35(B), 36(C), 37(C), 38(D), 39(C), 40(A), 41(B)

Safety Questions & Answers - Ashwini Kumar Barnwal

42. In reference to accidental oil pollution, the most critical time during bunkering is when _____.

- a. you first start to receive fuel
- b. hoses are being blown down
- c. final topping off is occurring
- d. hoses are being disconnected

43. An inert gas system installed on a tanker is designed to _____.

- a. aid in the stripping and cleaning of cargo tanks
- b. increase the rate of discharge of cargo
- c. force toxic and explosive fumes from a cargo tank to vent to the outside atmosphere
- d. lower the oxygen levels inside cargo tanks, making explosion nearly impossible and fire proof.

44. Your ship is sinking rapidly. A container containing an inflatable liferaft has bobbed to the surface upon functioning of the hydrostatic release. Which action should you take?

- a. Cut the painter line so it will not pull the liferaft container down.
- b. Swim away from the container so you will not be in danger as it goes down.
- c. Take no action because the painter will cause the liferaft to inflate and open the container.
- d. Manually open the container and inflate the liferaft with the hand pump.

45. The atmosphere in a tank is too lean if it is _____.

- a. incapable of supporting combustion because the hydrocarbon content is below the LFL (Lower Flammable Limit)
- b. capable of supporting combustion because the hydrocarbon content is above the UFL (Upper Flammable Limit)
- c. capable of supporting a fire once started
- d. not safe for ballasting

46. Inflatable liferafts are less maneuverable than lifeboats due to their _____.

- a. shape
- b. shallow draft
- c. large sail area
- d. All of the above

47. What is the generally accepted method of determining whether the atmosphere within a cargo tank is explosive, too rich, or too lean to support combustion?

- a. Use the open flame test on a small sample that has been taken from the tank.
- b. Send a gas sample ashore for laboratory analysis.
- c. Enter the tank with an oxygen analyzer.
- d. Use an explosimeter

48. Before using a fixed CO₂ system to fight an engine room fire, you must _____.

- a. secure and shut the engine room ventilations.
- b. secure the machinery in the engine room main engine stop with master's permission.
- c. evacuate all engine room personnel
- d. All of the above

49. You are fighting a fire in the electrical switchboard in the engine room. You should secure the power, then _____.

- a. use a portable foam extinguisher
- b. use a low-velocity fog adapter with the fire hose
- c. use a portable CO₂ extinguisher
- d. determine the cause of the fire

50. The minimum concentration of a vapor in air which can form an explosive mixture is called the _____.

- a. auto-ignition point
- b. flash point
- c. lower explosive limit (LEL)
- d. threshold limit value (TLV)



Answers: 42(C), 43(D), 44(C), 45(A), 46(D), 47(D), 48(D), 49(C), 50(C)

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Sailor Stories



Two shipwrecked sailors met in the open ocean. Each clinging to his own log.

"Ahoy," exclaimed the first, "Your ship has sunk?"

"Yes, a year ago."

"You don't say so? And you've been at the sea all this time?"

"Aye, and what about it?"

"How could you endure it for so long?"

"Wondering myself. It was so boring, on Sundays in particular... ."

A recreational boater, a tugboat crewman, and an old salt sailor went into a bar and each ordered a beer. Each found a fly in their beer.

The recreational boater looked in his beer and said, "hey bartender I have a fly in my beer. Give me another beer."

The tugboat crewman looked in his beer, found the fly, reached in and picked it out and continued drinking.

The old salt sailor looked in his beer, saw the fly, grabbed it by the wings, shook it over the glass and yelled, "Spit it out, Spit it out!"

A rather old minesweeper was cruising a lonely stretch of the South Pacific and was overtaken by a new Australian cruiser. All the US sailors admired the new ship and the Captain sent a blinker-light message to the Aussies: "You are beautiful."

Less than 10 seconds later, the Aussie ship blinkered back: "I'll bet you say that to all the ships."

A Sailor sent an e-mail to his wife, informing her that his ship would be returning from deployment a day early. Arriving home, he found his wife with another man. Upset, he stormed off and got a room at the Sailor Home to decide what to do next. His thoughts were interrupted by a call from his mother-in-law.

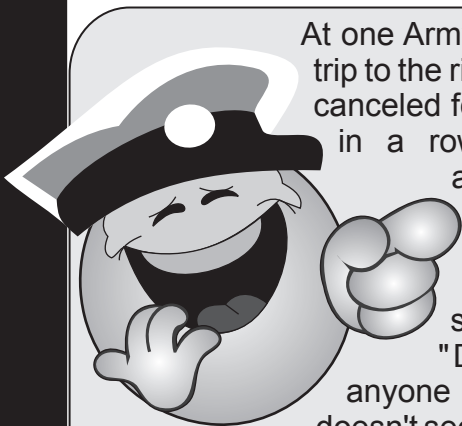
"Bill" she said, "I checked with my daughter and, as I expected, there is a perfectly good explanation for this whole episode."

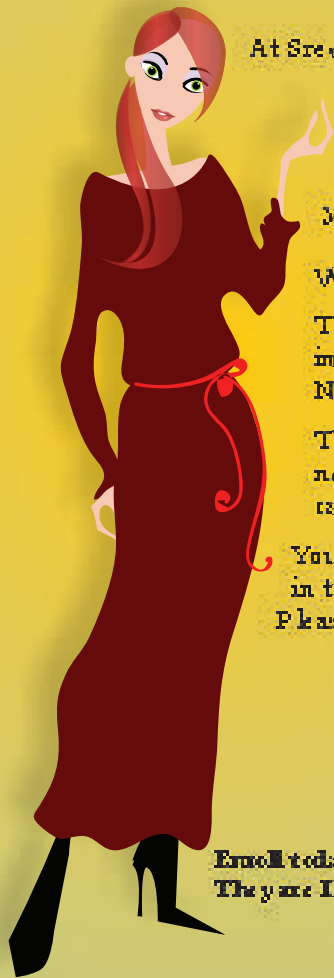
"This I've got to hear," the Sailor said.

"It was an honest mistake," the mother-in-law said. "She never got your e-mail!"



At one Army base, the annual trip to the rifle range had been canceled for the second year in a row, but the semi-annual physical fitness test was still on as planned. One soldier mused, "Does it bother anyone else that the Army doesn't seem to care how well we can shoot, but they are extremely interested in how fast we can run?"





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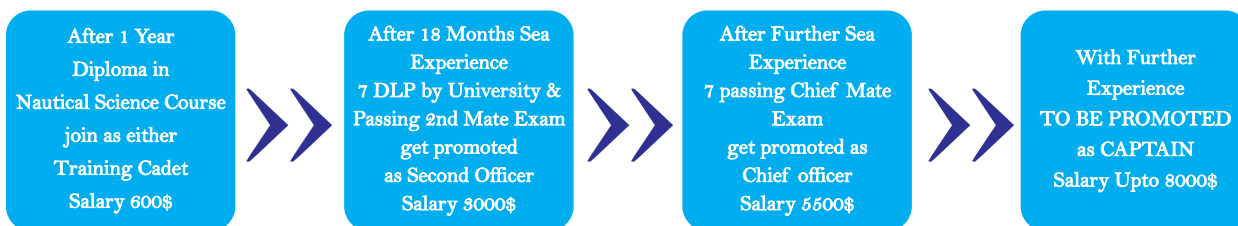
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Send off our adversaries as if in a ship,
To the opposite shore: do Thou convey us
In a ship across the sea for our welfare."*

- Rig Veda 1, 97, 7 and 8.



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